

James Witt
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United States Court of Appeals
Ninth Circuit

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| UNITED STATES OF AMERICA" aka "Evan) | Civil docket #15-16721 |
| Moses, et al., | } Motion to stay trial court proceedings |
| petitioner, | |
| vs. | |
| James Witt, | |
| <u>alleged respondent</u> | } |

Now Comes James Witt, who moves this court to stay the proceedings against me in case number 1:15-cv-00418-LJO-SAB, this the underlying case that was appealed to this court.

Bobby Montoya, who lied throughout the district court proceedings, has filed a petition to have me held in contempt for failing to comply with the trial court's order to testify against myself. Montoya wants the court to use threats, duress and coercion against me while claiming "good faith." The trial court accepts that is disturbing.

That matter is currently under appeal of course. If I am coerced to testify against myself, that alone is wrong, but it will also moot this appeal. If I prevail it means nothing.

To stop this injustice, this court should stay the proceedings in that court until there has been a decision made here. Montoya cannot point to any prejudice if the she has to wait to coerce me to testify against myself.


The trial court judges have shown their utter contempt for basic principles of fairness and due process. This includes lying that I made a "naked denial" of good faith. I submitted an affidavit of a

phone call with IRS agent Evan Moses where he admitted he was not qualified to support his legal opinions. This was at the least, evidence Moses committed perjury in Montoya's supporting affidavit. Even if judge Boone disagreed with the facts, to say I made a "naked denial" is false and shows a willingness to lie for Montoya. Had Boone disagreed with the facts in my affidavit, then he should not have vacated the order to show cause hearing. It was done deliberately to deny me opportunity to confront the witness against me.

If there is a contempt trial, I will again be denied opportunity to confront IRS agent Moses. I should not have to point out that is unfair and violates due process.

Montoya and Moses just want to bully and harass a peaceful seventy-one year old man. It is pathetic.

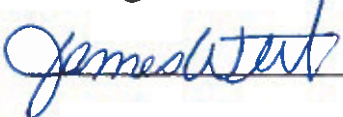
Submitted this 25 day of April 2016.


James Witt

Certificate of service

This is to certify that a true and correct copy of the foregoing has been mailed this 25 day of April 2016, to the plaintiff at the following address:

Jennifer Rubin
PO Box 502
Washington DC 20044


James Witt